

Title: **Tuesday, March 17, 1998 Freedom of Info. review committee**

Date: 98/03/17

10:03 a.m.

[Mr. Friedel in the chair]

THE CHAIRMAN: Okay. Well, if we can start, I'll call the meeting to order. We don't have a lot of time this morning, so we might as well make the best use of it. Perhaps we could start out with introductions. On this end the MLAs all know each other, and we have some technical staff that may know some of us, but it'd be a good idea if we know who they are. My name is Gary Friedel. I've been asked to chair this committee, and we'll start on my right with Ron.

MR. STEVENS: Ron Stevens, Calgary-Glenmore.

MR. DUCHARME: Denis Ducharme, Bonnyville-Cold Lake.

MS BARRETT: Pam Barrett, Edmonton-Highlands.

MR. CARDINAL: Mike Cardinal, Athabasca-Wabasca.

MR. GILLIS: Peter Gillis. I'm a consultant with Alberta Labour.

MR. DALTON: Clark Dalton, Alberta Justice.

MS KESSLER: Sue Kessler, Alberta Labour.

MR. ENNIS: John Ennis. I'm a portfolio officer in the office of the Information and Privacy Commissioner.

MS MORAN: Charlotte Moran, Department of Labour.

MRS. TARCHUK: Janis Tarchuk, Banff-Cochrane.

MR. DICKSON: Gary Dickson.

MRS. SHUMYLA: Diane Shumyla. I work with the committee.

THE CHAIRMAN: Diane is with the Legislative Assembly Office. She's the official co-ordinator and sort of the do everything person. The folks on the far end of the table are the technical people that will be working with this committee. You can tell from how they introduced themselves what their involvement is. Clark was one of the legal advisers during the setting up of the act itself. I don't remember if any of the other staff were there at the time. Correct me if I'm wrong, but I think not.

The Department of Labour as the administrator of the present act is providing us the technical services of their communications department. Sue, as the person working with the act mostly, is going to help us as required. There is a list as we go through. John is with the Information Commissioner's office, and Peter's firm is under contract with the department. He has expertise in not only the act in this province but I understand in other provinces as well and with the federal government. So that gives us a bit of a link to deal with those folks as we need any technical help.

If we can get into the agenda, the first item would be approval of – Diane sent out a tentative agenda, and if we could have a motion to approve this, I'd appreciate it. All in favour?

HON. MEMBERS: Agreed.

THE CHAIRMAN: The next item is Appointment of Deputy Chairman, and unless I get run over by a bus or something like that, this will probably be more in the way of a backup person, but we should have, I believe, a deputy chairman of the committee.

MR. DUCHARME: Mr. Chairman, I wish to nominate Mr. Ron Stevens.

THE CHAIRMAN: Any further nominations? Okay. All in favour of Ron being chosen as the deputy chairman? That is carried.

Item 4 is Mandate of the Select Special Freedom of Information and Protection of Privacy Act Review Committee. I would refer you to tab 4. There's a copy of *Hansard* from March 2, 1998, in which Jon Havelock moved that the committee be established, and in it is the mandate of the committee. There are two ways we can get this into the record. I could read all of this, but I think it would take valuable time. I think what I'll do is ask Diane just to attach this document as an appendix to our minutes, and that would cover the purpose. Anybody have any objections to that?

MS BARRETT: Nope.

THE CHAIRMAN: Okay. We will do that.

The next item is covered under tab 5. It's partially dealing with the mandate and also has the review timetable built into it. This is the essence of why we're meeting here today: to look at the process. The first two lines in the prepared document – item 1: what is the freedom of information act? I think it's rather a motherhood statement. Item 2: why is the review being done? As part of the requirement of the original committee's recommendation, and I believe in the act there's provision that there was to be a review done within three years of the enactment: that is why we're here today. So I think that's fairly straightforward.

Item 3: what is to be the focus of the review? It has two components. First of all, it is to determine if the act and its supporting policy and the administration as it exists provides for a good balance of access to information and protection of privacy in conformance with the original intent. I think the key phrase is that "in conformance with the original intent." I think our job should be to look at the history of the act since it was put in place. Is it doing what was originally intended? Are there any flaws in it that are causing problems, or are there possibly omissions in it that could enhance its operation?

The second part is to consider the implication of the sectors that are governed by the act. That could include some discussion on the about to be phased in MASH sector and if there is or should be any expansion of this governance. These were issues that were touched on in the original round. The note that is included in there recognizes that the federal and provincial governments through another initiative are looking at legislation for involving the private sector. I don't anticipate that we're going to get into that to any degree, but I think we should be aware that that review is going on, and hopefully we don't duplicate what is happening there but recognize what's going on.

Likewise, I'm going to suggest that the access to and the privacy of health information is another initiative that's going on under the jurisdiction of the Department of Health. Again, they will be looking at a degree of activity I think beyond which is intended to be the scope of this committee. We should be aware that it's going on and hopefully avoid any duplication, but there may be some feedback from it that we would deal with.

I'd like to suggest that we go on to item 4 and then go back briefly to discuss both 3 and 4 at one time.

10:13

The format for the review process. I wrestled with two options. Whether or not there would be any advantage to do a provincewide public discussion, similar to the original process that we followed in 1993, the cost versus what might come out of it I think has to be weighed. I am recommending that rather than do that kind of process, which would be very time consuming and expensive, we deal with it on the basis of a discussion paper that would be distributed to anyone who's interested. We would proactively distribute this discussion paper to any groups that we know would be interested or that we think would be affected. Any of those people and anyone who wishes could submit comments, suggestions, observations to this committee over a period of two months. We would accept these submissions in virtually any media format, including Internet, fax, mail. We would not make it awkward or difficult for anybody to provide feedback. We would want this to be as open as possible.

The committee would then look at all the feedback that comes in, and in that period of time, at the option of the committee, we could meet with groups for which simply asking for feedback would not be sufficient. The obvious areas would be maybe a meeting with the commissioner and senior staff to see what their opinion is of how the system is working, possibly meeting with the ministry people who are administering the act, again for a dual dialogue, and any other group that we would see a significant benefit in having a discussion with rather than just receiving feedback.

After all that feedback has occurred, the committee would go through it, draft a report and a recommendation, and send that out to anyone who has made a submission and anyone who has expressed an interest in receiving that information, so they would see what a preliminary report would look like. It would give them the opportunity to rebut or make second recommendations. Those would come back. The committee would again review it and may make amendments based on those secondary feedback recommendations and comments, and then we would prepare and submit our final report to the Legislature.

If we can, then, I'll open this to discussion on items 3 and 4 on that document, and I have Gary Dickson speaking to this.

MR. DICKSON: Mr. Chairman, just three points I want to touch on. Firstly, it seems to me in terms of the focus of the review that the description is a bit unfocused. Surely what we're trying to determine is simply whether the act should be amended. My suggestion would be that we do what the federal Parliament did with the Open and Shut report, their 10-year review of their legislation, and what happened in Ontario when they did their report. Basically, our committee would come up with a series of proposed amendments and an explanatory note for each representing the experience of the committee. That may be exactly what you contemplated or envisaged with 3(a) and (b), but it seems to me that specific, concrete recommendations in terms of amendments would be where we should be headed.

The second item, Mr. Chairman. I take your point in terms of health information. There is a process. You've got an MLA group working on that, but that's quite different than what's going on with legislation for the private sector. The Legislature has no access to the Uniform Law Conference of Canada or the federal/provincial/territorial information highway ministers, so it seems to me that it would be appropriate and should be part of our mandate to assess whether FOIP should be expanded to all of the private sector or part of the private sector. I think the situation with health is different for the reason I mentioned. There's no

group of MLAs, there's no committee of this Legislature looking at privacy legislation for the private sector if it's not this group, so I think we should do it.

The third point, Mr. Chairman, has to do with public hearings. I stand to be corrected, but I think in British Columbia they are holding public hearings. I think they're doing a four-year review of their statute there, and I think they are holding public hearings. I know there are a lot of groups that are anxious to take advantage of that forum, that opportunity.

I think since we're talking about a basic information right that Albertans have had since October 1995, it's appropriate that there should be something more than just a newspaper ad and an address to write to. I'd like to see us consider some limited, not overly expensive form of public hearing. I don't recall what it was with the freedom of information panel, the all-party panel, in the fall of 1993, but my recollection is that it wasn't tremendously expensive. We may not go to as many centres as we did with that review, but my suggestion would be that we look at at least some form of public hearings in addition to the other kinds of format items that you've outlined, Mr. Chairman.

THE CHAIRMAN: If I might, I'll address the three issues that you raised, Gary. Your first was basically a question. In the report that this committee makes, the question would be asked: should the act be amended? I think that would be part of what is covered in 3(a). It's answering the question: is the act, as it's presently being administered, doing what the original intent was when it was enacted? If there were to be changes, obviously amendments to the act would be part of the recommendation. Is that what you're asking? Would we be making recommendations to change the act? Did I catch your question correctly?

MR. DICKSON: Well, I think you did. It wasn't simply a question. I'm trying to recommend, suggest that the form that (a) and (b) should take should be some fairly concrete recommendations in terms of amendments to correct what we think may be deficiencies. Part of the reason is that I think the Premier in the House the other day acknowledged that maybe we made a mistake in '95 in taking out MLA expenses. That would be one of the things the committee should look at. So that would be in the nature of: should this be an amendment?

THE CHAIRMAN: That would not be inconsistent with the kind of feedback we would be looking for, and any recommendations along those lines would be things that we would consider. Our hands are not tied in terms of what recommendations could be made. It's just that we should focus ourselves on making sure that the act as it exists is doing what was intended. I don't think the purpose is to reinvent Freedom of Information and Protection of Privacy either as an act or as regulations around it. But that, as I say, can be subject to discussion and ongoing changes if necessary.

Expanding into the private sector. If you look at the last phrase in 3(b), it says: "and/or any expansion of such governance." It is anticipated that these kinds of things could and likely would have feedback, and we would look at that.

As far as public hearings go, my personal opinion is that the process that was followed in the original review – it was necessary to have public hearings, to get out, to find out what people felt was needed, what might have been missing. At that time we had no legislation whatsoever, and it wasn't simply a matter of sending in "What is your opinion?" and hoping to get any semblance of a common thread from which an act could be put in place. We have an act that has been in place for three years. Anyone who's either been interested in or has had the opportunity to work with or be

affected by the act would certainly have opinions, and I think that's what we're after. What are the shortcomings in the act, if any, and are there any things that could be done to improve this act?

As I said, my personal opinion is that this could be accomplished as effectively by having the feedback, remembering that we're having a second round and that this is the reason for that. So if anybody wanted to debate what we read into it, they did get a chance to rebut. I think it would make the process simpler. It would give, I think, more time for us to work on all the recommendations as a total presentation rather than necessarily what happens at the public meetings.

I also recall that the last time, the public meetings seemed to be focused around specific interests and not as much on the general picture. That's what I would hope to avoid. That is something this committee should decide, whether we should change the format. We would obviously have to change the budget, but I think we could accomplish this.

Pam.

10:23

MS BARRETT: Thanks. On the latter point, I'm with you. Even though I wasn't here for those few years, I really was following everything that was going on here. I think the public response is going to be different this time than when you're initiating an act that is brand-new and maybe has implications that people hadn't contemplated. Why don't we take a wait-and-see attitude? Why don't we go through, you know, sending out the information, whether it's in the format that Gary was suggesting – and I'm not opposed to that. I think we could fly some trial balloons – no problem – and then see what the feedback is, prepare our initial report, and then judge whether or not people really want to meet with us and debate specific issues, as you said. We could decide that in the middle of the summer, and it wouldn't be a problem.

THE CHAIRMAN: You'll notice that in 4(c) there is the provision for the committee to meet and discuss with parties from whom we feel it would be beneficial to have more than the input. So the option is at our will, and as you say, that could also be expanded after the first round of feedback. From the feedback it would be easy enough to tell whether this might be something we would like to pursue by a face-to-face meeting.

Mike.

MR. CARDINAL: Thank you very much, Mr. Chairman. I have a little concern on 3(b) also, on expansion into private industry. I think it's something we'll have to be very careful of, and I would suggest that we'll need a lot of technical advice on this particular area, on the potential implications of such a process.

THE CHAIRMAN: My understanding is that the recommendation to expand the act into the private sector was mostly in the area of self-governing professions. If we get feedback in that regard and if we are to deal with it, I think we would have to be extremely careful that we involved those professional associations and organizations so that it wouldn't be simply one-sided. Making a recommendation without getting both sides of the story would possibly require our proactive involvement or contacting those organizations, depending on what the feedback is. That component was left out of the original recommendation.

MR. CARDINAL: The reason I say that, Mr. Chairman, is because of the potential cost of the whole process also. If we did get into something like that, I assume the cost would be very, very high, and I'd have a concern if it's something we can afford.

THE CHAIRMAN: If the cost of administering was included in that?

MR. CARDINAL: The cost of administering that additional portion, yeah. I believe it would be very large.

Thank you.

THE CHAIRMAN: Are there any other observations or comments on items 3 or 4?

MR. STEVENS: The only comment I'd make is that section 91, under which this committee was struck, specifically refers to "a report that includes any amendments recommended by the committee," referring to the mandate to do a comprehensive review of the act. So it seems to me that the report will include amendments that this committee would propose and also implies, I think, that the report is more than simply a series of amendments and comments on amendments, that it can be more expansive than that.

THE CHAIRMAN: In consideration of our time here we'll move on. The fact that I'm moving quickly here doesn't preclude coming back to any of these issues or possibly even revisiting at a future meeting, but I'd like to get as much of this done that we can at least get the process started.

MR. DICKSON: Mr. Chairman.

THE CHAIRMAN: Yes, Gary.

MR. DICKSON: Just before we leave the issue of whether we're dealing with the private sector, the way I read 3(b) was, as you said it the second time, that the original recommendation had been to consider self-governing professions, with the College of Physicians and Surgeons and the Law Society being subject to the act. That's what I took to be the import of 3(b). Do I understand you to say that your understanding is that we would also be looking at the broader for-profit private sector under 3(b)? So we're not hung up, then, saying that because the federal/provincial/territorial ministers are looking at the private sector, there's a conflict and we'll leave it alone.

THE CHAIRMAN: My personal opinion is that we would, if there was feedback, deal with the regulated professions. I hadn't anticipated that we were going to go in any detail into the for-profit private sector. I would personally like to see that we avoid requesting feedback on that. If this committee feels otherwise, we could change it.

It doesn't preclude, however, that we wouldn't consider anything that came in from any part of the public. There is going to be nothing in the advertisements or anything we send out that says: don't talk about a particular issue. I think we would be receptive to anything that came in on virtually any topic. It would be a matter of how much and in what depth we would deal with some of these. My anticipation is that the for-profit private sector was never intended to be part of the scope of the act, and I don't see us getting into that. But, as I say, subject to this committee's wishes, anything goes.

MR. DICKSON: Mr. Chairman, it seems to me that the purpose would be served if simply one of the questions in the discussion guide, whatever the printed literature is that's going to be produced, said to Albertans, "Do you believe that the nongovernmental sector should also be subject to freedom of

information laws?" or something along that line. I mean, I think this doesn't have to be the major part of the mandate. I just want to make sure that it's not excluded from the mandate of what we're doing.

THE CHAIRMAN: Well, we can consider that one when we have the draft discussion paper brought to us: what kinds of questions we want to have in it. The wishes of the committee would prevail at that time. That's what will happen in the next six weeks. You know, we'll do the communication strategy and establish a discussion paper. It would be approved by this committee before it was sent out. So any of those kinds of questions or the format would be approved here. There is nothing even in the draft stage yet.

Were you trying to get my attention, Sue?

MS KESSLER: No.

THE CHAIRMAN: Okay. Item 5, then, is time lines. These have been bandied around a little bit, particularly with the technical people, to make sure that they were achievable. Establishing the committee has been done. We're working on approving the structure. Preparing a discussion paper is to be done. This would give us approximately six weeks before the end of April to have this done up and made ready for distribution. Circulating the discussion paper and receiving responses is a two-month window of opportunity from May 1 to June 30. Committee to review the feedback and prepare preliminary report: probably under normal circumstances this could be accomplished in about a month, but recognizing that July and August may be a little difficult to get people here, with vacations and things like that, we thought it would be best to expand that over two months. It would not be a busy two months, but make sure that everybody had an opportunity to be at the meetings. I think this is a critical part for the committee, and we want to make sure that we don't end up with meetings when only parts of the committee are here. Your involvement is very essential.

10:33

During that time, the report would be prepared, and then we would send the first draft out for secondary feedback. My suggestion is that one month would be ample for that, because the people that are making submissions will already have their homework done. They will be familiar with the issues, and it shouldn't take very long to look at a draft report and provide comments or observations. The committee, because we've done our homework, within a month could very likely prepare that final report and make a submission.

You'll notice the comment underneath, though, that we're reserving the right to the committee to extend the time lines if we run into problems that would not allow us to deal adequately with any of these things.

Does anybody have problems with that as a tentative time schedule?

Committee structure: we're all here. Committee resources we talked about a little bit earlier. These are the names and where the technical support staff is coming from. This would not preclude us contacting other people if there's technical type of expertise that we feel we could benefit from. Essentially, the two ministries and the commissioner's office have said that these people will be available to us to provide what help is necessary to supplement what the Legislative Assembly Office can do for us.

Okay. Any comments on that?

MR. DICKSON: Just one observation, Mr. Chairman. It would be

interesting if members of the committee could get a chance to see some of the material that's produced in British Columbia since our statute is modeled so closely on the British Columbia statute. Since they're sort of going through a four-year review almost in parallel with this, I think it would be perhaps of interest to see the kinds of materials they're producing and look a little bit at the process.

MS BARRETT: Yeah, I'd be interested.

THE CHAIRMAN: We could probably get that. Would you, Sue, have any insight?

MS KESSLER: We have access to it through an Internet site that the B.C. government has, so we could certainly download the information and make it available.

MR. DICKSON: Thank you.

THE CHAIRMAN: This is the kind of information that would be certainly helpful. Any ideas that you folks have as to how we can enhance this process, you know, the kinds of information, we'll try and accommodate that.

MRS. TARCHUK: Just a quick question on the B.C. model. Are they close to the end of the review? Where are they in the review?

MR. DICKSON: I think they're only a matter of months ahead of us. I think they're holding some public hearings, but I don't think they've commenced yet. So they're not a whole lot further ahead than we are, except I understand that the government or whatever committee has prepared some materials already, which puts them a little bit ahead of us.

MRS. TARCHUK: It would be worth while to see their discussion paper.

MR. DICKSON: Sure.

THE CHAIRMAN: It might not be a bad idea to have a motion to endorse this concept in principle, understanding that as a committee we can change the process slightly if it's necessary as we go along. The next item on the agenda, anyway, is the timetable, which should be adopted.

Janis is moving that this be accepted or adopted. Discussion? All in favour?

MR. DICKSON: Well, just before we vote on it, I'm sort of treating it as incorporating what we've discussed. We've talked about some different ways we may go. I just want to make sure we wouldn't get locked into too narrow a view with it. I just want to make sure that that's clear, Mr. Chairman.

THE CHAIRMAN: Yes. It is quite general, and it's subject to refinement as we go along. I think that that would be an understanding, that we made the rules, and we can change them slightly if necessary.

All in favour? That's carried.

Communications Plan. We've left that a little bit open. This is something that the technical team would be helping us with. The suggestion that has been made is that we would advertise once in all the major dailies and the weeklies across the province to ensure that there is an ability for people out there to be aware that this is going on. A single advertisement has a limited impact, but you'll

notice from the tentative budget that it costs about \$30,000 to do a one ad sweep of the province. We could supplement that with, you know, news releases, with our own contacts, and I'm sure this will pick up a bit of a life of its own in any event.

That would generate the kind of interest that would get the best kind of feedback, again remembering that we are going to take a proactive stand in getting this information out. Any known interest groups – and those would include, say, the AUMA and municipal districts and counties, the School Boards Association, all the MASH sector organizations. We could advise them that this was going on, send them the discussion paper, and encourage them to get in touch with each of their members who may wish to make individual presentations. Any groups or organizations like that, I think we could generate a fairly substantive feedback process.

MS BARRETT: What size ads are you envisioning for the major dailies? I mean, that's your biggest catch basin. You have to have ads that I think are like an eighth of a page in order to really catch the attention of readers. Was that contemplated?

THE CHAIRMAN: I'm going to ask Charlotte if she could maybe address that. We would rely on people with that expertise to see where we'd get the biggest bang for our buck. Do you have any observations?

MS MORAN: Yeah. An eighth of a page or four by five or four by seven is about what that \$30,000 buy gives you. Not too small, but it's not a half page ad either.

MS BARRETT: We don't need that. We're not Chrysler Corporation.

MS MORAN: There you go.

THE CHAIRMAN: It's not to our advantage to get the tiny little ads stuck on page 48. I mean, we are trying to attract attention.

MS MORAN: Then we look, too, you know, at what days of the week, to get the best placement in the paper, and so on.

MS BARRETT: Good. So are you asking for right-hand side placement?

MS MORAN: Well, whatever works in terms of getting the best placement.

THE CHAIRMAN: Also, we will be bringing in a draft of that advertisement before it actually goes out.

MS BARRETT: Thanks.

MR. CARDINAL: Gary, I would suggest that when you do the advertisement, if you are going to indicate that it's an all-party committee, leave the names of the members out to streamline the process of contact. It may be possible that everybody would be calling us all over and calling all the MLAs. Really we'd get mixed messages. Some people may call and not follow up on it in writing, and it will be a bit confusing. I would suggest that the advertisement has a central access for receiving information and also telephone contact rather than people calling 10 different people.

THE CHAIRMAN: The protocol on that is that the contact is the Legislative Assembly Office. Diane would be the official contact

person for address. While the communications people from the Department of Labour are part of our technical team, the department itself is not seen nor is it directing any of this component. They're available to us. So Diane's office to myself is the official contact response.

MR. DICKSON: I think my concern is sort of the opposite of Mike Cardinal's. I'm not so worried that any of our phones are going to be deluged with comments. I'm concerned about the difficulty in terms of letting Albertans know what's going on. If you look at Striking the Right Balance, dealing with health information, which is arguably one of the most important kinds of personal information, there were something like 60 responses, and that was, I think, a sort of a one-off newspaper ad and sort of a selected stakeholder consultation.

So I guess I'd encourage the committee, Mr. Chairman, to look at something more than just a one-off ad, particularly if there's a sense that we may not be doing any public hearings. I take your comment about trying to be more proactive, but I also think that we may want to run a couple of ads at least in the major daily newspapers. Visibility, as Pam suggests, is really important as we have to, I think, get the message out as broadly, as widely as we possibly can.

10:43

MR. CARDINAL: Just for clarification, Mr. Chairman. I didn't mean restrict the number of ads. I meant streamline as to who the contacts are as far as the public out there. That's all I said. You can run as many as you need to run to get the public's attention and input.

MR. DICKSON: And I don't disagree with your point.

MR. STEVENS: I agree with Gary. I think it's important that we get the message out as soon as we can, because I'm sure that in hindsight many people will say that we didn't do all that we could do to communicate.

I don't know if there's been a press release at this point in time, but it seems to me that if we are in general agreement with respect to what our mandate is and what the time line is, it would be appropriate to get something out at this point in time by way of a press release so that people know that there is a discussion paper coming, that we're expecting feedback by a certain date, that we're going to have a secondary feedback stage. Then that information is out there so that people who are interested in this matter can start gearing up to respond in a meaningful way to what we're doing. I think that that could be helpful to people that are interested in this.

I assume the ads will be at about the same time as the discussion paper is available for distribution, although we haven't discussed that. A draft newsletter for MLAs to use with their constituents might be of some assistance.

The last question I have is whether or not there is any contemplation of using a web site so that we can get the discussion paper on the Net and also solicit feedback in an electronic fashion.

THE CHAIRMAN: You must have been a communications director in a former life.

MR. STEVENS: I've gone through this recently.

THE CHAIRMAN: Charlotte has already started a process subject to our approval that virtually immediately after this meeting we

would do a press communiqué that would indicate that the process is set up.

MS MORAN: That's one of the things I'd like to bring to your attention today. While you sort of make a good point about timing, that the timing has to be connected to all of those kinds of things: the news release, the discussion paper, the availability of that discussion paper – and I'm going to be the devil's advocate here, if I may. A news release right now would have very little in it. It would simply be able to say: we have a committee. That's all we'd have. I would argue that it would probably be more useful for Albertans if we could tell them what the process was going to be for them for involvement.

So I would suggest that possibly your news release should be out closer to when you actually have something to give them, like a discussion paper. If we go now, as I say, we'll say, "There's a process," and then there's this lapse between announcing it and nothing happening. Then you'll have, again, another news release that says: "Okay. Now we have the discussion paper ready." So I pose to you the value from the Albertans' point of view. If you are announcing, what are you announcing for Albertans?

MR. STEVENS: If I might just make a comment. Having gone through the private-school funding process, I note that there were a number of people who indicated that they were taken by surprise in October that this was going on, whereas in fact the news releases relative to this started in June of that year. If you leave it until we have something for people – and typically it takes a while for this stuff to percolate through. If we're giving a two-month period for people to receive, digest, and respond to us on the discussion paper, that can be a very short time period for some people if in fact it takes them a couple or three weeks to find out about it and get the discussion paper.

I guess from where I stand, I don't see the downside in getting out a news release today saying: we're here; this is what we're doing; here's our time line. It's there. It's public record. You may be right that very few people respond to it, but from my point of view this committee would be in a position to say that we told Albertans at the earliest possible opportunity that in fact we were embarking on this process, and for people once again who are principally interested in this issue, that gives them an opportunity to start marshalling their forces and getting their people together to respond.

So that's my perspective on it. I hear what you're saying, but that would be my response.

MS MORAN: I think the other deliverable I'd look for from Albertans' perspective, failing a discussion paper, is the process. It would be great to be able to say that this committee's in place, the review starts whatever date, and this is the process: there's a discussion paper to be provided; there'll be a questionnaire if that's part of it; what happens once they return it. It will be made available through a mailing address. We can provide some sense of who's going to get it and what address. It will be on the Internet. It will be mailed out to interested Albertans upon request or however we do it.

THE CHAIRMAN: Yes. I'm inclined to agree with Ron that maybe we should let people know we're here. It could be a refinement of this little document that I've prepared here, you know, a smaller version of it. The two comments you made as well – MLA newsletters is a good vehicle for getting this thing out. I'm sure we could get a blurb prepared that could be distributed to all MLAs. There will be an Internet web site. We've already

discussed that the Legislative Assembly does have – is it Leg. Assembly? – a web site address, which the entire discussion paper can actually be put on and become a bit of a paperless distribution for people who are interested.

MR. DICKSON: I was just going to say, Charlotte, that I take your point, but it seems to me that there are at least two discrete constituencies. There is a body of people who are fairly knowledgeable about the act. I'm thinking of environmental groups, people who have been users of the act in the past. I think that what Ron Stevens is talking about will simply help to trigger some of those organizations to start working on preparing responses or submissions. I think what you're talking about addresses more a broader kind of general public who are going to have to be maybe not just cued that the process is under way but want in on a lot of the detail.

I think we can do both. I think that what's contemplated by Ron's suggestion helps to get that one constituency sort of engaged in developing and also spreading the word. I think it'll also be helpful in doing some proselytizing and helping to create more currency around the fact of what we're about.

THE CHAIRMAN: Okay.

MR. CARDINAL: I think that before we proceed with the communications plan, we should ask Diane if she is ready to handle major phone calls and inquiries starting this week if the communications were to go out this week. You know, we need to make sure that we're prepared.

MRS. SHUMYLA: Yes. If a news release were to go out this week, then I could handle calls. Basically, when we did some previous advertising, I also had my Internet address on there. Sometimes we get questions that way, and then if I can't handle the call or the answer, I could forward it to Gary or to the appropriate person.

MRS. TARCHUK: Just to add, I think Ron's idea is good.

The other thing is that a lot of the associations that we'll want to make contact with don't meet over the summer. So I think it's valuable for us to forewarn them that we have started – this is what's happening this summer – as opposed to them getting a notice, "Here's our discussion paper; respond," when they may not, in fact, be meeting. So I think overall it's a very good idea.

THE CHAIRMAN: I think it would maximize the opportunities.

Okay. Not losing sight of our time here. There's a meeting at 11 o'clock which most of us have to attend.

Quickly on to item 7, the budget. I've asked Diane to prepare a preliminary budget. It's very simple. It's based on the cost – for example the first item, pay to members of the Legislative Assembly: this would be committee allowance to which you're entitled. It's calculated based on everybody claiming that entitlement under Standing Orders. There's an understanding that for any meetings during session people don't claim the honorarium or expenses. So it could be generous in that regard.

The second item is a \$2,000 wage is that apparently the Leg. Assembly Office has access to a STEP student, who would be working for four months but could be brought into this for an additional month prior to May and could do a lot of the sorting. I would expect that feedback coming in would be easier if it was, as I said earlier, sent to the committee members as it comes in rather than a huge parcel in the end that nobody has a chance of seeing. So if it were set that way and perhaps sorted by category,

it would help. This kind of individual would be of some benefit, because otherwise I don't think Diane would have the resources to do it. This is a suggestion.

10:53

The operational expenses I think are fairly straightforward. The advertising, as I said, assumes one major advertising campaign. Gary has suggested expanding that, and I guess we would want to discuss this here. Is an additional ad going to generate enough extra feedback to justify the cost of another \$30,000?

Comments.

MS MORAN: You can take a read in your process about that second ad too. Once you do the first round of ads and you have your discussion paper out there, you can take another read a little bit further on into the process wherein you might decide, based on the response you're getting, et cetera, whether you want another round.

THE CHAIRMAN: I think the Speaker's office might like to know what we're doing in advance, though. He's the one that has to come up with the money.

MS MORAN: Sure, in which case, then, you just double your advertising budget now maybe.

THE CHAIRMAN: I'm not absolutely convinced that another round of advertising is going to generate as much additional feedback as we could using news releases, our own columns, the kind of resources whereby we could generate low-cost feedback. That's why in the budget I was recommending one round of advertising.

MR. DUCHARME: Mr. Chairman, if we earmark, basically, as far as sending out written proposals, let's say, or asking for information from certain groups that we believe would be interested in partaking in this review, I feel that one major push within the daily and weekly newspapers would be sufficient. Having sat in on the maintenance and enforcement review committee, we basically knew which groups were out there that would be of interest and invited them for submissions. It worked quite well as far as receiving information.

MRS. TARCHUK: Just another idea. A lot of our weeklies donate space for MLA columns, so we can also wrap in informing MLAs and encouraging them to use that opportunity to advertise this process.

MR. DICKSON: Charlotte, what would be the cost if we were to just do at least a second ad in the major dailies? You have different impacts. That one ad in most of the weekly papers is probably sufficient. That would probably get the degree of notoriety. In the big media markets sometimes people are bombarded with so many messages that you need a little repetition. I'm thinking of the Calgary and Edmonton markets in particular.

MS MORAN: If you do the Alberta dailies, that would be all of the city dailies. You're still up around \$15,000 to \$20,000.

THE CHAIRMAN: I would remind committee members that attached to your binders is a copy of the report of the original committee, and it includes all the people that made submissions at that time. So the list of contacts that could be addressed by mail is almost exhaustive.

MS MORAN: Sure. One of the things we can do in the communications plan for you, if you like, is we can address these things and lay out all the possibilities for getting the word out, which would include your media buy, that you discussed today, plus other options like your MLA columns, news releases, talk shows, the kinds of things that you have at your disposal.

THE CHAIRMAN: Okay.

Diane has just suggested that we could delay approval of the budget until our next meeting to give us a chance to think about this. In the meantime, as part of a communication plan we could find out what some of the options are.

MS MORAN: Yeah. You can put the cost right into those endeavours.

MR. STEVENS: Very briefly, while I'm thinking about it. It seems to me that it's tough to measure today, before we've started the process. The idea that sort of appeals to me out of this discussion is to build a budget that allows for some flexibility, recognizing that I think the chair has expressed a view that I would probably agree with, that one would be enough. If we build a budget that allows for some additional advertising if we believe it's necessary, then we've got that flexibility but on the understanding that we don't spend the money if we don't think it's going to be warranted.

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN: We are one minute short of our adjournment time. Is there anything else that's particularly urgent that we should address today?

MS MORAN: Just for my clarification. Is it the sense of this group that you want the news release to go out this week?

THE CHAIRMAN: I would say yes, based on the discussion.

MS MORAN: Okay. Again, the news releases aren't guaranteed in terms of your pickup. As you know, it will depend on what else is happening. If you've got a Treasury announcement today, for example, then there'll be a little bit of a rollout from that, one can expect, on any other. So what I need to do for you is flag the competition for your news release. This may not be your best week in that sense, but to be prepared for you, if you'd like, we'll certainly get the draft ready right away for you. Then maybe to determine the timing, you can just stay in touch with your chair.

THE CHAIRMAN: Perhaps, Charlotte, you can contact me over lunch, if you don't mind. I should be back in my office by 12, and we can look at some dates. Thursday, for example, is the Premier's dinner. I don't think we'd want to compete with that kind of attention. As Ron said, a slow news day would be a benefit to us.

As far as the next meeting date, I think we'll leave it to Diane to sort of do a poll of who's available on particular dates and set it up accordingly. It will probably be a meeting reasonably quickly, within, I would say, maybe 10 days.

Motion to adjourn. Ron. All in favour?

HON. MEMBERS: Agreed.

[The committee adjourned at 11:01 a.m.]

